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**REMARKS**

Claims 1-20 remain pending in this application. Of these claims, all have been rejected in the latest Office Action mailed July 6, 2006.

The Applicants have considered the latest Office Action, but respectfully traverse the rejections set forth therein. Reconsideration and withdrawal of these rejections in light of the following remarks are respectfully requested.

As a preliminary matter, Applicants are pleased that the examiner has withdrawn all previous objections and rejections. Regarding the new grounds of rejections, as the examiner will see below, these rejections however are similar to the ones made in the previous action and accordingly should be withdrawn as well.

**Claim Rejections – 35 USC § 103****Obviousness Rejection 1**

Claims 1, 4-6, 8, 10, 16-17 and 19 stand rejected under 35 U.S.C. §103(a) as allegedly being obvious over the disclosure of Katsuragi et al (EP1125994) in view of Koitabashi et al. (US20020044187)

At the outset, it is not clear why the examiner now uses the cited Koitabashi publication (US20020044187) against the claims, since the examiner previously applied the granted equivalent (US6557991) against the claims in the previous action dated December 13, 2005. Clearly this secondary reference is not a new reference.

Also, regarding some housekeeping matters, in the previous action, the examiner misstated the patent number of the secondary reference. The granted Koitabashi et al. patent number should have been "US 6557991" and this number should also have been on the Examiner's previous PTO-892 form. It is Applicant's earnest request **once again** that the examiner correct the previous PTO-892 form and cite the proper Koitabashi et al. reference. The reference that is cited "US 6577991" to Yoshizawa on the previous PTO-892 form has nothing whatsoever to do with inkjet ink sets and methods of using the same.

With regard to the subject rejection, regardless of which Koitabashi et al reference is being applied, namely the published application or the granted patent, the

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argument for patentability is still the same as the argument made in Applicants' previous response.

As previously stated, the Applicants respectfully traverse this rejection, since it is untenable, as the combination of Katsuragi et al. with Koitabashi et al. fails to disclose or fairly suggest all elements of Applicants' claims.

With regard to independent Claims 1 and 10, it is required that the first ink in the ink set comprises at least one of a soluble polymer binder or multivalent cation.

Applicants assert that neither Katsuragi et al nor Koitabashi et al disclose soluble polymer binder in a first ink; and, as there is no allegation to the contrary made by Examiner, there must be agreement on this point. Furthermore, with respect to the presence of the multivalent cation, the Examiner admits that Katsuragi et al. do not teach a first ink comprising a multivalent cation.

Nevertheless, it is the examiner's position that while Katsuragi et al disclose only an ink set including a first ink comprising a self-dispersing pigment and a fixing fluid comprising a soluble copper salt, and fail to teach the first ink comprising multivalent cation, it would have been obvious to one of ordinary skill in the art at the time of Applicants' invention to modify the ink set and method taught by Katsuragi et al. with the disclosure of Koitabashi et al. which the examiner alleges teaches a first ink comprising multivalent cation at col. 4, lines 50-55.

The same allegation was made by examiner in the previous rejection but Applicants' arguments to the contrary apparently were ignored. The Koitabashi et al disclosure at col. 4, lines 50-55, is clearly directed only to the incorporation of multivalent cation in a "treating liquid" (comparable to applicants' fixer fluid). There is no disclosure of multivalent cation contained in an ink such as Applicants' first ink. Lacking such disclosure, the obviousness rejection against claims 1 and 10 cannot be sustained as all of applicants' claim limitations are not taught or suggested by Koitabashi et al in combination with Katsuragi et al. or any other art of record.

Thus, as the combination of references does not arrive at Applicants' invention, the *prima facie* case of obviousness has not been made and the rejection should be withdrawn.

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For at least the above reasons, claim 1 and 10 are patentable over the cited combination. Since claims 4-6, 8, 16-17 and 19 depend from either Claim 1 or Claim 10, for at least this reason, these claims are also patentable over Koitabashi et al in combination with Katsuragi et al. Accordingly Applicants respectfully request that the 35 U.S.C. § 103(a) rejection of these claims also be withdrawn.

### **Obviousness Rejection 2**

Claims 2, 3, 14 and 15 stand rejected under 35 U.S.C. §103(a) as allegedly being obvious over the disclosure of Katsuragi et al. (EP1125994) and Koitabashi et al. (US20020044187) in view of Takeda et al. (US5188891). The Applicants respectfully traverse this rejection, as the cited combination fails to disclose or fairly suggest all elements of Applicants' claims.

In the first place, Takeda et al. is improperly applied, as this reference relates to magnetic recording media, particularly videotapes, and has nothing whatsoever to do with inkjet inks and inkjet printing. Accordingly Takeda et al. reference is neither analogous art nor related to the problem solved. As such, removal of this reference and the rejections based thereon are respectfully requested.

Furthermore, concerning claims 2, 3, 14 and 15, Applicants would note that each of these claims contain the limitations of either claim 1 or 10. The basic deficiencies in the disclosure of Katsuragi et al and Koitabashi et al. are discussed in detail above, namely the lack of disclosure in any of these references of a first ink comprising at least one of a soluble polymer binder or multivalent cation. Thus, for at least the additional reasons discussed above, Applicants submit that the present obviousness rejection as applied to the invention of claims 2, 3, 14 and 15 cannot be supported and respectfully request withdrawal thereof.

### **Obviousness Rejection 3**

Claims 7 and 18 stand rejected under 35 U.S.C. §103(a) as allegedly being obvious over the disclosure of Katsuragi et al (EP1125994) in view of Koitabashi et al. (US20020044187). The Applicants respectfully traverse this rejection.

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Without going into the merits the examiner's assertion that the copper level in the fixing fluid is a matter of routine optimization, Applicants would note that each of these claims contain the limitations of either claim 1 or 10. Applicants submit that this rejection also cannot be sustained, because of the basic deficiencies of the disclosures Katsuragi et al and Koitabashi et al. noted herein before, namely the lack of disclosure of a first ink comprising at least one of a soluble polymer binder or multivalent cation. Accordingly, for at least this reason, Applicants submit that the present obviousness rejection as applied to the invention of claims 7 and 8 cannot be supported as all of Applicants' claim limitations are not taught or suggested by the cited references, and respectfully request withdrawal thereof.

#### **Obviousness Rejection 4**

Claims 9 and 20 stand rejected under 35 U.S.C. §103(a) as allegedly being obvious over the disclosure of Katsuragi et al (EP1125994) and Koitabashi et al. (US20020044187), and further in view of Yanagimoto et al. (US20020129739). The Applicants respectfully traverse this rejection.

Yanagimoto et al. is cited to supply disclosure of self-dispersing pigment with anionic hydrophilic moieties being carboxyl groups which the Examiner indicates is lacking in Katsuragi et al. Applicants wish to point out, however, that in paragraph [0118] of Katsuragi et al. there is description of self-dispersing carbon black with "-COONa" surface groups which would appear to negate the need for Yanagimoto et al.

With or without Yanagimoto et al., Applicants would note that each of the claims cited in this rejection contain the limitations of either claim 1 or 10, and the basic deficiency of this rejection is the same as all of the other previous rejections, namely the lack of disclosure in Katsuragi et al and Koitabashi et al., of a first ink comprising at least one of a soluble polymer binder or multivalent cation. Since the cited combination fails to teach all elements of Applicants' claims, the present obviousness rejection as applied to the invention of claims 9 and 20 cannot be supported, and Applicants respectfully request withdrawal thereof.

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**Obviousness Rejection 5**

Claims 11-13 stand rejected under 35 U.S.C. §103(a) as allegedly being obvious over the disclosure of Katsuragi et al (EP1125994) and Koitabashi et al. (US20020044187) in view of Katsuragi et al (EP1191077). The Applicants respectfully traverse this rejection.

Concerning claims 11-13, Applicants would note that each of these claims contain the limitations of independent claim 10. Thus, without going into the merits of Katsuragi et al (EP1191077), this rejection is not sustainable because of the basic deficiencies in the disclosures of Katsuragi et al (EP1125994) and Koitabashi et al. as argued herein before, namely the lack of disclosure of a first ink comprising at least one of a soluble polymer binder or multivalent cation. EP1191077 does not supply that missing disclosure. Since this combination of cited references similarly fails to teach or fairly suggest all elements of Applicants' claims, the present obviousness rejection as applied to the invention of claims 11-13 cannot be supported, and Applicants respectfully request withdrawal thereof.

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**Conclusion**

In view of the above arguments, Applicants submit that claims 1-20 are patentable over the art of record, and that this case is otherwise in condition for allowance. If for some reason the application is not allowable, Applicants' attorney requests a telephonic interview with the Examiner to discuss the case and any additional amendments to the claims that may be required to place the case in allowable form.

Respectfully submitted,



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